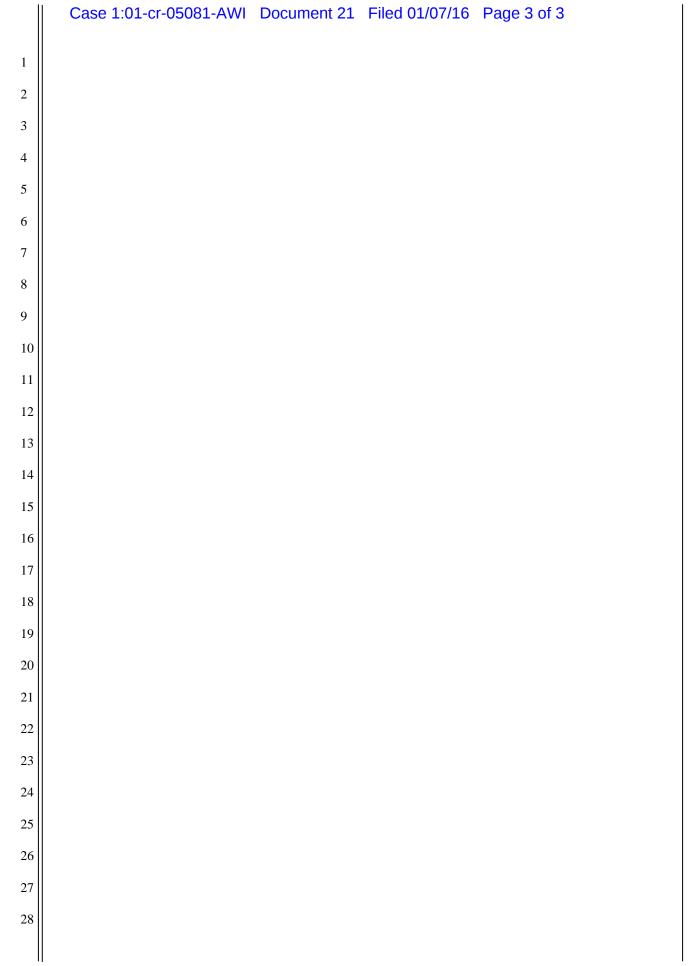
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1	1HEATHER E. WILLIAMS, Bar #122664 Federal Defender	
2	ERIC V. KERSTEN, Bar #226429 Assistant Federal Defender	
4	Designated Counsel for Service 2300 Tulare Street, Suite 330 Fresno, California 93721-2226	
5	Telephone: (559) 487-5561	
6	Counsel for Defendant DAVID ALLEN CHITURAS	
7		
8	IN THE UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
10		
11	UNITED STATES OF AMERICA,	No. 1:00-cr-05240 AWI No. 1:01-cr-05081 AWI
12	Plaintiff,	) 100. 1.01-01-05001 /1W1 )
13	vs.	STIPULATION TO CONTINUE O DISPOSITION, [PROPOSED] ORDER
14	DAVID ALLEN CHITURAS,	THEREON
15	Defendant.	Date: January 25, 2016 Time: 10:00 a.m.
16		) Judge: Hon. Anthony W. Ishii
17 18	IT IS HEREBY STIPULATED by and between the parties hereto through their respective	
19	counsel, KEVIN P. ROONEY, Assistant United States Attorney, counsel for plaintiff, and ERIC	
20	V. KERSTEN, Assistant Federal Defender, counsel for defendant, David Allen Chituras, that the	
21	date for disposition may be continued to January 25, 2016 a.m., or the soonest date thereafter	
22	convenient to the court. Disposition is currently scheduled for January 11, 2016.	
23	Defense counsel was out of the office over the holidays and returned January 4, 2016.	
24	Because Mr. Chituras is housed at Lerdo, counsel was not able to review the Dispositional	
25	Memorandum prepared by the United States Probation Office with Mr. Chituras prior to January	
26	6, 2016. This continuance is requested to allow time for the defense to prepare a response to the	
27	Dispositional Memorandum.	
28	The parties agree that any delay resu	ulting from the continuance shall be excluded as

## 1 necessary for effective defense preparation and continuity of counsel pursuant to 18 U.S.C.§§ 2 3161(h)(7)(A) and 3161(h)(7)(B)(iv). For this reason, the ends of justice served by the granting 3 of the requested continuance outweigh the interests of the public and the defendant in a speedy 4 trial. 5 BENJAMIN B. WAGNER 6 United States Attorney 7 DATED: January 7, 2016 By: /s/ Kevin p. Rooney 8 KEVIN P. ROONEY Assistant U. S. Attorneys 9 Counsel for Plaintiff 10 11 HEATHER E. WILLIAMS Federal Defender 12 13 /s/ Eric V. Kersten DATED: January 7, 2016 By: ERIC V. KERSTEN 14 Assistant Federal Defender Counsel for Defendant 15 DAVID ALLEN CHITURAS 16 17 ORDER 18 IT IS SO ORDERED. Based on the stipulation of counsel and for good cause, it is 19 ORDERED that the Sentencing on Supervised Release Violation hearing in this matter is 20 continued from January 11, 2016, to January 25, 2016, at 10:00 a.m.. The court further finds that 21 the ends of justice served by a continuance outweigh the interest of the public and the defendant 22 in a speedy trial, and that the delay occasioned by such continuance is excluded from the Speedy 23 Trial Act's time limits pursuant to 18 U.S.C. § 3161(h)(7)(A). The intervening period of delay is 24 excluded in the interests of justice pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and 3161(h)(7)(B)(iv). 25 26 IT IS SO ORDERED. 27 Dated: January 7, 2016 28 SENIOR DISTRICT JUDGE

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Chituras: Stipulation to Continue Disposition